



4-30-04

IFW RCE 1634

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/744,146
Filing Date	March 29, 2001
First Named Inventor	Machida et al.
Art Unit	1634
Examiner Name	B. Sisson
Attorney Docket Number	10287.39

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☒ Other Responses filed 12/29/03, 01/30/04, and 04/01/04

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. \_\_\_\_\_

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 05/03/2004 TBESHAH1 00000025 09744146

iii. ☐ Other 01 FC:2801 385.00 OP

b. ☒ Check in the amount of \$ 650.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gloria L. Norberg	Registration No. (Attorney/Agent)	36 706
Signature	<i>Gloria L. Norberg</i>	Date	April 29, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Express Mail Label No.: EV396290818US

Name (Print/Type)	Julie Schwartz	Date	04/24/04
Signature	<i>Julie Schwartz</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT / DOCKET NO.: 10287.39  
CUSTOMER NO.: 27683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
Machida *et al.*

Serial No.: 09/744,146

Filed: March 29, 2001

For: COMPLEX COMPRISING CARRIER,  
NUCLEIC ACID RECEPTOR, AND  
PREDETERMINED MOLAR RATIO  
OF TYPES OF LABELS

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Confirmation No.: 3956

Group Art Unit: 1634

Examiner: Sisson, B.

Express Mail No.: EV396290818US

**REQUEST FOR EXTENSION OF TIME; EXAMINER INTERVIEW SUMMARY;  
SUPPLEMENTAL RESPONSE TO FINAL OFFICE ACTION MAILED NOVEMBER 4, 2003  
IN VIEW OF ADVISORY ACTION MAILED JANUARY 15, 2004, IN VIEW OF  
COMMUNICATION MAILED FEBRUARY 27, 2004, AND  
IN VIEW OF ADVISORY ACTION MAILED APRIL 14, 2004**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**I. Introductory Comments**

The present paper is submitted as a complete response to the Final Office Action mailed November 4, 2003, in view of the Advisory Action mailed January 15, 2004, in view of the Communication mailed February 27, 2004, and in view of the Advisory Action mailed April 14, 2004, the Final Office Action having a shortened period for response that expires on February 4, 2004. A first request for extension of time and the fee for a two month extension was filed April 1, 2004. The present paper is timely filed since this paper is also a request for an extension of time of one further month to and including May 4, 2004. The Commissioner is hereby authorized to deduct fees for the third month extension of time (\$265.00) from Haynes and Boone Deposit Account No. 08-1394/10287.39. Should any further fees under 37 C.F.R. §§1.16 to 1.21 be deemed necessary for the filing of the present document, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 08-1394/10287.39.

05/03/2004 TBESHAH1 00000025 09744146

02 FC:2253

265.00 OP

The present paper is being filed concurrently with a Request for Continued Examination (RCE) under 37 CFR §1.114.

The claims begin on page 3 of this paper.

Remarks begin on page 6 of this paper.